

# LAW FIRM CERTIFICATE OF COMPLIANCE WITH SCR 20:1.15 AND SCR 13.04

Firm Name: \_\_\_\_\_  
Office Address: \_\_\_\_\_  
City, State Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_

**On behalf of the above-referenced law firm, I/we hereby certify** that the firm maintains trust and/or fiduciary account(s) and that those accounts are identified below and/or attached to this Certification in a separate list.

**On behalf of the above-referenced law firm, I/we also certify** that the firm has complied with each of the record-keeping requirements set forth in SCR 20:1.15(f) and/or (j)(5).

**On behalf of the above-referenced law firm, I/we further certify** that the firm has a trust account overdraft agreement on file with OLR, as required by SCR 20:1.15(h), for each demand-type trust account into which client funds or 3<sup>rd</sup> party funds are deposited by the firm, and that, with respect to each demand-type fiduciary account, the firm has an overdraft agreement on file with OLR or the firm is complying with the alternative protection procedures of SCR 20:1.15(j)(9)b. and/or (9)c.

Pursuant to SCR 20:1.15(i) and (j)(10), listed below, and/or attached hereto, are all trust accounts, fiduciary accounts and safe deposit boxes into which members of the above-referenced law firm deposit funds or property belonging to clients or third parties held in connection with a Wisconsin legal matter or in a fiduciary capacity.

\_\_\_\_\_  
Partner responsible for Trust/Fiduciary Accounts

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
2<sup>nd</sup> Partner responsible for Trust/Fiduciary Accounts

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

Name of Financial Institution	City	Trust Account, Fiduciary Account and/or Safe Deposit Box Numbers			WisTAF Type *
	Telephone Number				
		T	F	S	
		T	F	S	
		T	F	S	
		T	F	S	

☐ **A list of additional Trust Accounts, Fiduciary Accounts and/or Safe Deposit Box Numbers is attached.**

**\* IOLTA-WisTAF Types (Required pursuant to SCR 13.04)**

- A** – Participating Account.  
**B** – Exempt Account – Service charges would equal or exceed any interest generated.  
**C** – Exempt Account – Interest is paid to clients.

# INSTRUCTIONS

**Trust Account/IOLTA-WisTAF Certificate.** As provided by SCR 20:1.15(i)(4) and (j)(10), failure to complete the trust account certificate is grounds for automatic suspension from the practice of law in the same manner as for nonpayment of dues.

**Law Firm Certificate:** SCR 20:1.15(i)(3) states: “A law firm shall file one certificate on behalf of the lawyers in the firm who are required to file a certificate under SCR 20:1.15 (i)(1). The law firm shall give a copy of the certificate to each lawyer in the firm.” OLR recommends that the partner or partners who are responsible for overseeing the firm’s trust and fiduciary accounts sign the Certificate.

**Reporting of Trust/Fiduciary Accounts.** The Wisconsin Supreme Court has specified that: “A lawyer must certify all trust accounts and safe deposit boxes in which the lawyer deposits clients’ funds or property held in connection with a representation or held in a fiduciary capacity that directly arises in the course of or as a result of a lawyer-client relationship.” (April 11, 2001 Order). Please identify each such account of the firm on the certification statement, and indicate whether it is a **Trust** account, a **Fiduciary** account or a **Safe deposit** box by checking the appropriate box beneath the letter **T**, **F** or **S**, i.e., the box beneath the letter “**T**” for each Trust Account, etc. In addition, if a trust account or a fiduciary account is a demand account (i.e., an account on which the lawyer can write checks), the account is subject to the overdraft notification requirements of SCR 20:1.15(h) and (j)(9). **Note:** Solely with respect to **Fiduciary Accounts**, SCR 20:1.15(j)(9) provides alternatives to overdraft notification.

Before signing the Certification, be certain that the firm is complying with record-keeping requirements and that there is an overdraft agreement in place for each demand trust account, and either an overdraft agreement or alternative protection for each demand fiduciary account. There is a continuing obligation to notify OLR of the existence of any trust accounts that are demand account(s) and to file overdraft notification agreements for such account(s) as well as for any fiduciary account(s) for which alternative protection has not been established. [See, SCR 20:1.15(j)(9)].

**For further information regarding Overdraft Agreements, record-keeping requirements and the Law Firm Certificate,** contact OLR at (608) 261-8296 or toll free at (877) 315-6941, Ext. 2 or, go to OLR’s website: [www.wicourts.gov/olr](http://www.wicourts.gov/olr).

**IOLTA-WisTAF Certificate.** The Wisconsin Trust Account Foundation operates the Interest on Lawyers Trust Account Program (IOLTA). Pursuant to SCR 13.04, every attorney shall certify whether trust account service charges would equal or exceed any interest generated. Please label all trust accounts listed on the certificate and/or a separate page attached to the certificate, as **A**, **B**, or **C**, according to the types identified on the certificate.

**For further information regarding IOLTA requirements,** contact WisTAF at (608) 257-6845 or toll free (877) 749-5045. Trust accounts opened after submitting this form may be reported on you next statement.

**CAUTION:** If the firm has more than four accounts, please attach a separate page to this form and place a check mark in the box near the bottom of the form, indicating that a list is attached. Be sure to provide all relevant information regarding each account, including whether it is a trust account, a fiduciary account or a safe deposit box. In addition, be certain that the IOLTA-WisTAF Type (A, B, or C) is identified with respect to each account.